

Remarks

Claims 10-46 are pending in this application. In an Office Action dated October 6, 2004, the Examiner rejected claims 10-17 and 28-46 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,536,892 to Kostreski *et al.* (Kostreski). The Examiner rejected claims 20-27 under 35 U.S.C. § 103(a) as being unpatentable over Kostreski in view of U.S. Patent No. 6,510,152 to Gerszberg *et al.* (Gerszberg). The Examiner rejected claims 18, 19, 44 and 46 under 35 U.S.C. § 103(a) as being unpatentable over Kostreski in view of U.S. Patent No. 6,052,744 to Moriarity *et al.* Applicants respectfully disagree with the Examiner's rejections and request reconsideration in light of the following remarks.

Independent claim 10 provides, *inter alia*, for "routing each information packet through a distributed network of routing elements, each routing element in wireless communication with at least one other routing element in the network of routing elements." The Examiner asserts this element is taught by Kostreski's "transmitter systems." The only apparent support for her assertion is "col. 13, line 60 – column 15, line 50." Kostreski's "transmitter systems" are not in wireless communication with each other nor do they form a distributed network of routing elements. Kostreski does not teach, or fairly suggest, Applicants' invention. Claim 10 is patentable over the cited art. Claims 11-19 depend from claim 10 and are therefore also patentable.

Independent claim 28 provides, *inter alia*, for "a plurality of distribution points, each distribution point in the plurality of distribution points in radio contact with at least one other distribution point..." Kostreski's "transmitter systems" are not in radio contact with each other. Kostreski neither teaches nor fairly suggests distribution points in radio contact with each other. Claim 28 is patentable over the cited art. Claims 29 and 30, which depend from claim 28, are therefore also patentable.

Independent claim 31 provides, *inter alia*, for a distributed routing network including a plurality of distribution points, each of these distribution points in radio contact with at least one other distribution point. Kostreski's "transmitter systems" do not form a distributed routing network and are not in radio contact with each other. Kostreski neither teaches nor fairly suggests Applicants' distributed routing network. Claim 31 is patentable over the cited art. Claims 32-35, which depend from claim 31, are therefore also patentable.

Independent claim 36 provides, *inter alia*, for a distributed network of routing elements, each routing element in wireless communication with at least one other routing element. Kostreski's "transmitter systems" do not form a distributed network of routing elements and are not in wireless communication with each other. Kostreski neither teaches nor fairly suggests Applicants' distributed network of routing elements. Claim 36 is patentable over the cited art. Claims 37-46, which depend from claim 36, are therefore also patentable.

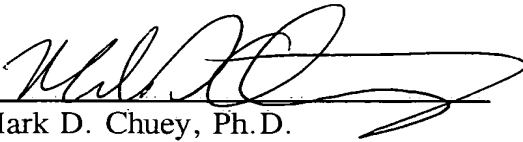
Independent claim 20 provides, *inter alia*, for a distributed routing network including a plurality of distribution points. Each distribution point in radio contact with at least one other distribution point. The Examiner asserted that claim 20 was an obvious combination of Kostreski and Gerszberg, relying on Kostreski's "transmitter systems" to disclose Applicants' distributed routing network. Kostreski's "transmitter systems" do not form a distributed routing network and are not in radio contact with each other. No combination of Kostreski and Gerszberg teaches or fairly suggests Applicants' distributed routing network. Claim 20 is patentable over the cited art. Claims 21-27, which depend from claim 20, are therefore also patentable.

Claims 10-46 are pending in this application. Applicants believe these claims meet all substantive requirements for patentability and respectfully request that this case be passed to issuance. No fee is believed due by filing this paper. However, any fee due may be withdrawn from Deposit Account No. 21-0456 as specified in the Application Transmittal.

The Examiner is invited to contact the undersigned to discuss any aspect of this case.

Respectfully submitted,

ANGUS O. DOUGHERTY et al.

By 

Mark D. Chuey, Ph.D.

Reg. No. 42,415

Attorney/Agent for Applicant

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BROOKS KUSHMAN P.C.
1000 Town Center, 22nd Floor
Southfield, MI 48075-1238
Phone: 248-358-4400
Fax: 248-358-3351